



## GREENWOOD COMMON COUNCIL MAY 2, 2005 MINUTES

Mayor Charles Henderson called the meeting to order at 7:00 p.m.

Cub Scout Pack 265, Den 2 of Our Lady of Greenwood led the audience in the Pledge of Allegiance, after which Pastor Doug Caister of Sanctuary Church led in prayer. The Mayor asked the scouts to introduce themselves and then presented them City of Greenwood pins. Leaders are Chris Alexander and Stephen Bard.

<b>PRESENT:</b>	Council members Bruce Armstrong, Ron Bates, Bill Bless, Ron Deer, John Gibson, Keith Hardin, Jessie Reed; Mayor Henderson; Clerk-Treasurer Jeannine Myers; and City Attorney Shawna Koons-Davis.
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Mr. Bates moved to approve the minutes of the regular session of April 18<sup>th</sup>, with second by Ms. Reed. Vote: Ayes.

Kathleen Tompkins of Unity of Indiana was invited to speak at this point to give a brief presentation of her organization. The agency provides services to children and adults with disabilities, now serving over 500 individuals. They are located at 300 S. Madison Avenue. She encouraged the audience to urge their legislators to provide funding for those with developmental disabilities. In response to Mr. Deer, she described their major role as preventing unnecessary institutionalization and to keep people in their own communities.

Also from the audience Bridgette Bard read a letter to the Parks Board President and brought a request for a dog park. Mayor Henderson told Bridgette that there were plans for a dog park in University Park and possibly the Parks Board could consider other areas of town for dog parks as well.

The City Attorney had distributed her litigation report. There were no questions from the Council.

Mr. Bates gave a report for the Plan Commission that met last Monday. He told the Council he had brought the request from Councilman Deer regarding the warning sirens to the table.

**ORDINANCE No. 05-07** – An Ordinance Providing For an Additional Appropriation From the Aviation Operating Fund to the Board of Aviation Commissioners For Annual Ditch Tax and Annual Dues (\$1,000). Mr. Hardin moved to pass Ordinance No. 05-07 through first reading. Second by Mr. Bless. Vote: Ayes. **PASSED FIRST READING.**

**RESOLUTION No. 05-03** – A Resolution Authorizing a Temporary Loan For the Park Fund (\$215,000) From the Rainy Day Fund. Ms. Koons-Davis had researched the Cum Cap funds, specifically regarding this resolution, and sent a memo to Council members. The Clerk-Treasurer had provided the balances in those funds. Mr. Bates moved to pass Resolution No. 05-03 through second reading. Second by Mr. Bless. Mr. Bless then moved to amend the resolution by taking the funds from CCI – Cigarette Tax. Mr. Bates seconded. There was discussion on what was encumbered in those funds. Mayor Henderson thought that the only other major need in the next couple of months would be curb replacement in Valle Vista, as we are over budget and using the normal paving money. He expects to have to ask the Council to replenish the paving money, possibly \$300,000. This led to discussion of the expected draws. Another large expenditure will be the turn lane at Emerson Avenue and Main Street. Ms. Reed and Mr. Hardin expressed concerns about when the funds would be repaid, which led to more discussion. Executive Parks Director Evan Springer explained the cash flow shortage and percentages out of each appropriation. There was more discussion as well concerning what funds could be used for the expected expenditures mentioned earlier. Roll call on amendment – Ayes. **RESOLUTION No. 05-03 AMENDED.** Roll call on Resolution No. 05-03 as amended – Ayes. **RESOLUTION No. 05-03 PASSED SECOND READING AS AMENDED.**

Under miscellaneous business, Mr. Bates asked about the procedure for referendums, should the Council wish to put an issue on the ballot. Two possible issues he thought might be appropriate are 1) building a water park and 2) becoming a second class city. The City Attorney will research the matter and draft a memo to Council members on the procedure, cost and allowable questions.

Mr. Armstrong told the Council that he had contacted attorney Linda Meier, who declined to give her opinion on the issue of hiring a police chief from outside the city in an open meeting, because of attorney/client privilege. He asked her to prepare her opinion as the last action under the current agreement. That opinion will be available before the next meeting, possibly this week.

Mr. Armstrong then noted that he had a complaint from one of his constituents to look into a business complaint – bad paint in the middle of downtown. In checking, Mr. Armstrong learned that the Board of Works refused a permit to paint a building that requires shutting down a sidewalk. Ms. Koons-Davis commented that the owner was told to come before the Board of Works and ask for permission to obstruct or close down the right-of-way for a period of time. The owner never appeared before the Board of Works. She talked with the owner today and they know they need to come to the meeting on Thursday to get permission.

Regarding Meridian Street, south of Smith Valley, where it goes into the Wilgro Center, Mr. Armstrong was told that was private property. The developer reconfigured that lot to meet their parking needs and was able to shut that down. Some of the people who live in the area behind the center were complaining.

Mr. Gibson asked for an update on the signs that appear during the spring for garage sales, etc. Mayor Henderson said that Code Enforcement is taking them down. The Mayor also replied to his question about temporary vendors setting up tents that they must have permits – and the police generally check. Mr. Gibson next mentioned that car carriers are parking in the lot on Main Street. He then asked about signalization on eastbound Main Street and U.S. Highway 31. The Mayor said those signals are being synchronized by Indianapolis.

Also in response to Mr. Gibson, the Mayor discussed the shift from inventory tax to property tax. It is a six-year cycle. As to the restaurant tax increase, Mayor Henderson referred to House Bill 1120 that included the governor's proposal for the increase in neighboring counties around Marion County. Half of the increase goes to the County and half to the State. There was also an opportunity for communities to increase the food and beverage tax as well but Greenwood and Franklin were excluded. Mr. Deer was upset that this happened and Greenwood misses an opportunity for income. Mayor Henderson talked with Representatives Burton and Yount and argued for the opportunity for debate and told them that there was probably a misunderstanding when Council members were polled.

Mr. Deer asked about heavy trash pickup, saying he was not aware of limits. Counsel confirmed that there was no limit on heavy trash. Mr. Deer is aware of a location where it was by the curb in time and was not picked up.

The Clerk-Treasurer mentioned that she had distributed copies of the 2005 CAGIT distribution for information only. She had Cum Cap information as well in a packet for the Council. Mayor Henderson announced that there will be an open house at the Police training center. Chief Pitcher stated it will be June 9<sup>th</sup> and there will be an e-mail.

Chief Pitcher then spoke to the issue of the lab and the need for its drug testing capabilities. Some may have thought that the lab was being shut down when the DNA testing issue came up.

In response to Mr. Armstrong, counsel stressed that the only money that must go into the Police Pension Fund is that from the sale of property confiscated or received during the course of police duties. Sale of property such as cars (not confiscated) or lab equipment at an auction will go into the General Fund.

Mayor Henderson next discussed streets in Northern Park and sewer replacement.

Concerning a special census, Mayor Henderson told the Council that he has been told the City would be well advised to have one with our rate of growth being what it is. He thought the cost of the last one was about \$117,000, which led to an increase of about \$225,000 over the next three years. The special census would increase our share of gasoline tax, alcohol tax, tobacco tax, as well as road mileage. The

City may have grown by 4,000 since the last census, and the Mayor said the projected number per person was about \$56 in 1997. The Mayor will try to get a cost estimate.

Mayor Henderson told the Council that he instructed department heads to have their budgets to him by the end of May. He hopes to have them to the Council by the second meeting in June, which gives around three months before the final budget has to be passed. Mr. Deer suggested that each department do their budget the same way.

Mayor Henderson told the Council that at the next meeting he would try to have a presentation on the sewers. Mr. Gibson described some flooding from sewer work recently and mentioned that he thought the constituents were satisfied to see how the departments worked together.

With no further business, the meeting adjourned at 8:40 p.m.